

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

**DIVERSE MEDICAL  
MANAGEMENT, INC.; AND AZZAM  
MEDICAL SERVICES, LLC,**

**Plaintiffs,**

**v.**

**PLATINUM GROUP USA, INC.;  
AMER RUSTOM; THE THIRD  
FRIDAY TOTAL RETURN FUND, L.P.,  
MICHAEL LEWITT, AMERICORE  
HEALTH, LLC, GRANT WHITE,  
JAMES B. BIDEN,**

**Defendants.**

**Case No: 19-CV-00046**

**JURY DEMAND**

**District Judge Curtis L Collier  
Magistrate Judge Christopher H Steger**

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**PLATINUM GROUP USA, INC.;  
THE THIRD FRIDAY TOTAL  
RETURN FUND, L.P.,**

**Counterclaim Plaintiffs,**

**v.**

**DIVERSE MEDICAL MANAGEMENT,  
INC.; MICHAEL FREY; NATALIE  
FREY; AND MOHANNAD AZZAM,**

**Counterclaim Defendants.**

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**STIPULATION OF DISMISSAL WITH PREJUDICE**

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Pursuant to Rules 21 and 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Diverse Medical Management, Inc. and Azzam Medical Services, LLC, Defendants Amer Rustom, Michael Lewitt, Americore Health, LLC, Grant White, and James B. Biden, Defendants and Counterclaim Plaintiffs The Third Friday Total Return Fund, L.P. and Platinum Group USA, Inc.,

and Counterclaim Defendants Diverse Medical Management, Inc., Michael Frey, Natalie Frey, and Mohannad Azzam, hereby stipulate to the dismissal of the following claims: 1) all of Diverse Medical Management, Inc. and Azzam Medical Services, LLC's claims against The Third Friday Total Return Fund, L.P. contained in the First Amended Complaint (Dkt. No. 8); and 2) all of The Third Friday Total Return Fund, L.P.'s claims against Diverse Medical Management, Inc., Michael Frey; Natalie Frey; and Mohannad Azzam contained in its Answer and Counterclaim (Dkt. No. 21). As a result, The Third Friday Total Return Fund, L.P., should be dismissed from the lawsuit. All other claims remain unresolved.

Diverse Medical Management, Inc., Azzam Medical Services, LLC, The Third Friday Total Return Fund, L.P., Michael Frey; Natalie Frey; and Mohannad Azzam have recently entered into a confidential Mutual Release and Settlement Agreement. Each of the settling parties shall pay its own attorneys' fees, costs, and expenses.

**AGREED AND APPROVED,**

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing was served on the following via email and/or the Court's CM/ECF system:

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On this the 14th day of October, 2019.

/s/ Robert A. Peal